

Petty Offenses

Collateral Forfeiture Schedule

Southern District of West Virginia

**General Services Administration
United States Fish & Wildlife Service
United States Forest Service
Veteran's Administration
United States Army Corps of Engineers
National Park Service**

Revised April 2006

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GENERAL SERVICES ADMINISTRATION

Enforced by Department of Homeland Security
Federal Protective Service
Title 41, Chapter 102 – 74, Subpart C, Code of Federal Regulations

<u>Section Number</u>	<u>Offense or C.F.R. Catchline</u>	<u>Collateral</u>
102-74.375(c)	Failure to record presence or departure	25
102-74.375(c)	Failure to display identification documents upon request of the Federal Protective Officer, watchman, or other authorized individual.	25
102-74.380(a)	Disposal of rubbish,- littering.	15
102-74.380(e)	Throwing or articles of any kind from building	25
102-74.380(e)	Climbing upon roof or any part of building.	15
102-74.380(b)	Willful damage or injuries to trees, shrubs, grass, plants or other vegetation.	25
102-74.380(b)	Willful destruction, damage or removal of property.	M
102-74.385	Failure to comply with signs and emergency directions.	5
102-74.390	Disturbances.	25
102-74.390	Disorderly conduct.	25
102-74.390(a)	Loud or unusual noise.	10
102-74.390(b)	Obstruction of entrances, foyers, corridors, offices, elevators, stairways, parking lots.	10
102-74.395	Gambling on federal property.	25
102-74.400(a)	Use on property of narcotic drugs.	M
102-74.405	Use of alcoholic beverages.	M
102-74.410	Soliciting, vending or debt collection.	50
102-74.410	Soliciting of alms and contributions.	15
102-74.415	Unauthorized posting of signs.	10

102-74.420	Photographs for news, advertising or commercial purposes without permission.	15
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102-74.425	Unauthorized dogs or other animals on federal property.	15
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VEHICULAR AND PEDESTRIAN TRAFFIC

102-74.430	Failure to observe posted special traffic directives.	10
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102-74.430	Failure to keep vehicle under control.	25
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102-74.430	Operation of vehicle on sidewalks, lawn areas or contrary to signals and direction of guards or contrary to all posted traffic signs.	10
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102-74.430	Speeding:	
	(1) Up to 10 mph in excess of limit.	10
	(2) 11 – 20 mph in excess of limit.	20
	(3) Over 21 mph in excess of limit.	50
	(4) Excessive acceleration.	25

102-74.430	Reckless driving, including:	M
	(1) Disregarding signal to stop by officer.	
	(2) In careless or reckless manner so as to endanger life or property.	
	(3) Driving under influence of alcoholic beverages or narcotic drugs.	
	(4) Driving while impaired.	

102-74.430(c)	Failure to obey traffic control device.	25
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102-74.430(e)	Blocking of entrances, driveways, walks, loading platforms or fire hydrants.	10
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102-74.430(f)	Parking on lawns, in unauthorized locations, in locations reserved for others, or contrary to the direction of posted signs.	10
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102-74.430(f)	Parking continuously in excess of 18 hours, without permission.	10
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102-74.430(f)	Parking on federal property without a permit and without authority.	10
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DISCRIMINATION

102-74.445	Discrimination in use of facility because of race, creed, color or national origin.	50
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WEAPONS

102-74.435 and 102-74.440	Carrying or unauthorized possession of firearms or deadly or other dangerous weapons or explosives.	M
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U.S. FISH AND WILDLIFE SERVICE VIOLATIONS

Title 50, Chapter I, Code of Federal Regulations
[Revised as of October 1 , 1984]
Title 16, United States Code
§§ 703 - 712 and §§ 718 - 718(i)

<u>Section Number</u>	<u>Offense or C.F.R. Catchline</u>	<u>Collateral</u>
<u>MIGRATORY BIRD TREATY ACT</u>		
<u>MIGRATORY NON-GAME BIRD VIOLATIONS</u>		
<u>16 USC 703</u>	Taking, pursuing, hunting, capturing, killing or the attempt thereof; possess, sell, barter, purchase, ship, export, import, carry, transport -or offer or cause thereof - migratory non-game birds, their parts, nests or eggs without authorization.	500 and 100/bird
<u>16 USC 705</u>	Ship, transport, carry in interstate or foreign commerce, any bird, part, nest or egg thereof, captured, killed, taken, shipped, transported or carried contrary to law of the place where captured, killed, taken, shipped, transported or carried.	500 and 100/bird
<u>MIGRATORY BIRD HUNTING STAMP ACT</u>		
<u>16 USC 718</u>		
718(a)	Taking migratory waterfowl without a “Duck Stamp.”	100 and 100/bird
718(b)	Taking migratory waterfowl with an unsigned/improperly validated “Duck Stamp.”	100
718(e)(a)	Unlawful loan/transfer or unauthorized use by another of a “Duck Stamp.”	200
<u>GENERAL FWS PERMIT REGULATIONS</u>		
<u>50 CFR 13</u>		
13.23(a)	Failure to notify of new address or name change of FWS permittee.	50

13.25	Unauthorized transfer to FWS issued permit.	250
13.27	Failure to notify of new address of FWS permittee.	50
13.28	Failure to notify of name change of FWS permittee.	50
13.41	Failure to maintain humane/helpful conditions.	250
13.43	Unauthorized altering of FWS permit.	250
13.44	Failure to display FWS permit.	50
13.46	Failure to maintain records required by FWS permit.	250
13.47	Failure to allow inspection of activity authorized by FWS permit.	500
<u>50 CFR 14</u>	<u>GENERAL REGULATIONS FOR IMPORTATION, EXPORTATION AND TRANSPORTATION OF WILDLIFE</u>	
14.11	Knowingly import or export wildlife at a non-designated port of entry.	350 and 50/specimen
14.63	Knowingly export wildlife without filing a declaration of exported wildlife.	500
14.81	Knowingly ship in interstate or foreign commerce wildlife without marked containers.	500 & 100/container
14.83	Knowingly ship wildlife in interstate or foreign commerce in violation of symbol marking regulations.	250
14.91	Knowingly import or export wildlife without the required import or export license.	500
<u>16 USC 1531-1543</u> <u>50 CFR 17</u>	<u>ENDANGERED SPECIES ACT OF 1973</u> <u>ENDANGERED AND THREATENED WILDLIFE AND PLANTS</u>	
17.21	Knowingly commit, attempt to commit, solicit another to commit or cause to be committed, endangered wildlife prohibitions.	500 and 150/animal /specimen
17.22, 17.23 17.32, 17.72	Knowingly violate permit requirements.	250

17.31	Knowingly commit, attempt to commit, solicit another to commit or cause to be committed threatened wildlife prohibitions.	300 and 150/animal /specimen
17.61	Knowingly commit, attempt to commit, solicit another to commit or cause to be committed threatened plant prohibitions.	500 and 100/specimen
17.71	Knowingly commit, attempt to commit, solicit another to commit or cause to be committed threatened plant prohibitions.	250 and 50/specimen
16 USC 1371-1372 <u>50 CFR 18</u>	<u>MARINE MAMMAL PROTECTION ACT</u>	
18.12	Knowingly import marine mammals.	1000 and 500/animal
18.13	Knowingly possess, sell, transport or offer to sell marine mammals taken in violation of Act.	1000 and 100/animal
16 USC 742j-1 <u>50 CFR 19.11</u>	<u>AIRBORNE HUNTING ACT</u>	
	Violations of general prohibitions.	1000 and 100/animal
<u>50 CFR 20</u>	<u>MIGRATORY GAME BIRD HUNTING VIOLATIONS</u>	
20.21(a)	Taking migratory game birds by unlawful means.	300 and 100/bird
20.21(b)	Use of an unplugged shotgun in hunting migratory game birds.	200
	Use of an improperly plugged shotgun in hunting migratory game birds.	100
20.21(c)	Take by means, aid or use of sinkbox or like device.	200 and 100/bird
20.21(d)	Take from or by means, aid, or use of motor driven land conveyance, motor vehicle or aircraft.	200 and 100/bird
20.21(e)	Take by means of motor boat or other craft under power.	200 and 100/bird
20.21(f)	Take by use or aid of live birds as decoys.	200 and 100/bird

20.21(g)	Take by use or aid of recorded or amplified bird calls/sounds.	300 and 100/bird
20.21(h)	Take by means or aid of motor driven conveyance or sailboat to concentrate, drive or rally the birds.	300 and 100/bird
20.21(i)	Take by the aid of baiting or on or over any baited areas.	500 and 100/bird
20.21(j)	Take while possessing shotshells loaded with shot other than steel shot or other approved non-toxic shot in a non-toxic shot zone.	200 and 100/bird
20.22	Take during closed season.	300 and 100/bird
20.23	Take before or after legal hours:	
	1-15 minutes before or after.	100 and 100/bird
	15-30 minutes before or after.	200 and 100/bird
	Over 30 minutes before or after.	300 and 100/bird
20.24	Taking over/exceeding daily limit.	300and 100/bird
20.25	Wanton waste.	300 and 100/bird
20.31	Possession of migratory game birds taken in violation of Subpart C (50 CFR 20.21 through 20.23).	200 and 100/bird
20.32	Possession of freshly killed migratory game birds during the closed season.	500 and 100 bird
20.33	Possession of migratory game birds over the excess of the possession limit.	200 and 100/bird
20.34	Possession of freshly killed migratory game birds in excess of daily limit on opening day of the season.	200 and 100/bird
20.35	Possess or transport in excess of daily field limit.	200 and 100/bird
20.36	Violation of tagging requirement.	200 and 50/bird

20.37	Custody of untagged birds of another person.	150 and 50/bird
20.38	Possession of live and/or wounded bird.	150 and 50/bird
20.40	Receipt, possession or giving to another any freshly killed, untagged game bird.	150 and 50/bird
20.41	Transportation of migratory game birds taken in violation of Subpart C (50 CFR 20.21 through 20.23).	200 and 100/bird
20.42	Transportation of untagged migratory birds of another person.	200 and 100/bird
20.43	Violation of species identification requirements.	150 and 100/bird
20.44	Violation of package marking requirements.	100
20.51 through 20.53	Violation of migratory game bird export regulations.	150 and 100/bird
20.61 through 20.66	Violation of migratory game bird import regulations.	150 and 100/bird
20.71	Violation of federal law or regulation.	150 and 100/bird
20.72	Violation of state law or regulation.	150 and 100/bird
20.73	Violation of foreign law or regulation.	300 and 100/bird
20.81	Violation of tagging requirements for migratory game birds at preservation facility.	300 and 100/bird
20.82	Violation of record keeping requirements at preservation facility.	200
20.83	Refusal to permit inspection of preservation facility and/or records.	500
20.91(a)	Purchase, sell or barter or the offer thereof for millinery or ornamental use, the feathers of migratory game birds.	200
20.91(b)	Purchase, sell, or barter or the offer thereof of mounted specimens of migratory game birds taken by hunting.	500 and 100/bird

20.133	Violation of crow hunting regulations.	100
<u>50 CFR 21</u>	<u>MIGRATORY BIRD PERMIT VIOLATIONS</u>	
21.2(a)	Purchase, sell, barter or offer thereof, of pre-Act migratory birds, parts, nests or eggs.	250 and 100 per bird/part/nest/egg
21.11	Take, possess, transport, sell, purchase or barter and/or offer to do so.	500 and 100 per bird/part/nest/egg
21.13	Failure to properly mark captive-reared mallard ducks.	100 and 100/bird
21.22	Violation of banding or marking permit requirements.	200 and 100/bird
21.23	Violation of scientific collecting permit requirements.	200 and 100/bird
21.24	Violation of taxidermist permit requirements.	300 and 100/bird
21.25	Violation of waterfowl sale and disposal permit requirements.	200 and 100/bird
21.27	Violation of special purpose permit requirements.	200 and 100/bird
21.28 & 21.29	Violation of falconry permit requirements.	200 and 100/bird
21.30	Violation of raptor propagation permit requirements.	200 and 100/bird
21.41	Violation of depredation permit requirements.	200 and 100/bird
21.42	Killing depredating migratory birds by other than permitted methods.	100 and 100/birds
21.43	Violation of depredating control requirements for crows, blackbirds, cowbirds, grackles, and magpies.	200

16 USC 668
50 CFR 22

BALD AND GOLDEN EAGLE PROTECTION ACT

22.11	Knowingly or with wanton disregard for consequence of act, and take, possess or transport a Bald or Golden Eagle without permit.	1000 and 500/bird
	Knowingly or with wanton disregard for consequence of act, take, possess or transport a Bald or Golden Eagle nest, egg(s) or parts.	250
22.12	Knowingly sell, purchase, barter, trade or offer for sale, purchase, barter or trade, export or import, any Bald or Golden Eagle or the parts, nests or eggs of such birds.	1000

50 CFR 23

ENDANGERED SPECIES CONVENTION

23.11	Knowingly commit, attempt to commit, solicit another to commit or cause to be committed, Endangered Species Convention prohibitions.	500 and 150/animal/specimen
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16 USC 668dd
50 GFR 25

NATIONAL WILDLIFE REFUGE SYSTEMS ADMINISTRATION ACT
ADMINISTRATIVE PROVISIONS

25.21	Entering a closed area.	75
25.31	Failure to comply with special instructions, signs, maps.	75
25.72	Failure to report accidents.	50

50 CFR 26

PUBLIC ENTRY AND USE

26.21	Violation of general trespass provisions.	100
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50 CFR 27

PROHIBITED ACTS

27.21	Unauthorized "take" of any animal or plant.	150 and 50/specimen
27.31	Violations of General Provisions regarding vehicles. .	50
27.31(b)(1)(i)	Violation of Coast Guard boating regulations.	50
27.32(b)(1)(ii)	Violation of State boating regulations.	50

27.32(b)(2)	Reckless or negligent operation of watercraft.	100
27.32(b)(3)	Operation of watercraft while intoxicated.	250
27.32(b)(4)	Operation of watercraft which interferes with other boats or with another watercraft's navigation	100
27.34	Unauthorized landing of aircraft.	250
27.41	Carrying, possessing or discharging firearms, fireworks or explosives unless specifically authorized.	100
27.43	Use and/or possession of weapons other than firearms.	75
27.51	Disturbing, injuring or damaging plants and animals.	100
27.52	Unauthorized introduction of plants or animals.	50 and 50/specimen
27.61	Destruction or removal of public or private property.	250
27.62-27.63	Search for and removal of objects of antiquity or value without authorization.	100
27.65	Tampering with vehicles or equipment.	150
27.71	Unauthorized use of commercial motion or sound pictures.	300
27.72	Unauthorized audio equipment.	100
27.73	Unauthorized artificial light.	200
27.81-27.86	Violation of personal conduct regulations.	100
27.92	Violation of unauthorized structure regulation.	200
27.93-27.94	Abandoning property or disposal of waste except at designated locations:	
	Littering	100
	Disposal of sewage	200
	Disposal of chemicals	300
27.95	Violation of fire regulations.	50
27.96	Unauthorized advertising.	50
27.97	Conducting unauthorized private commercial enterprise.	300

<u>50 CFR 32</u>	<u>HUNTING and/or FISHING</u>	
32.2 or 71.2	Violation of general provisions – hunting.	100 and 50/specimen
32.2 or 71.12	Violation of general regulations – fishing.	75 and 15/fish
<u>16 USC 3371-3378</u>	<u>LACEY ACT AMENDMENTS OF 1981</u>	
3372(a)(1)	Knowingly import, export, transport, sell, receive, acquire or purchase any fish, wildlife or plant taken or possessed in violation of any law, treaty or regulation of the U.S. or in violation of any Indian Tribal Law.	
	<u>Wildlife/Plant</u>	
	Fish	250+25/fish
	Mollusks	350+50/mollusk
	Big Game	500+250/animal
	Small Game	300+50/animal
	FurBearer	300+100/animal
	Bird	200+50/bird
	Plant	150+50/plant
	Other	100+25/specimen
3372(a)(2)	Knowingly import, export, transport, sell, receive, acquire or purchase in interstate or foreign commerce:	
	(A) Any fish or wildlife taken, possessed, transported or sold in violation of any law or regulation of any state or in violation of any foreign law or,	
	(B) Any plant taken, possessed, transported or sold in violation of any law or regulation of any state.	
	<u>Wildlife/Plant</u>	
	Fish	300+25/fish
	Mollusks	350+50/mollusk
	Big Game	500+250/animal
	Small Game	300+50/animal
	FurBearer	300+100/animal
	Bird	200+50/bird
	Plant	150+50/plant
	Other	100+25/specimen
3372(a)(3)	Within the special maritime and territorial jurisdiction of the U.S. (as defined in Section 7 of Title 18):	

- (A) To knowingly possess any fish or wildlife taken, possessed, transported or sold in violation of any law or regulation of any state or in violation of any foreign law or Indian Tribal Law.
- (B) To knowingly possess any plant taken, possessed, transported or sold in violation of any law or regulation of any state.

Wildlife/Plant	
Fish	250+25/fish
Mollusks	350+50/mollusk
Big Game	500+250/animal
Small Game	300+50/animal
FurBearer	300+100/animal
Bird	200+50/bird
Plant	150+50/plant
Other	100+25/specimen

3372(a)(4) Knowingly having imported, exported, transported, sold, purchased or received any fish, wildlife or plant imported from any foreign country or transported in interstate or foreign commerce, to make or submit any false record, account, label or identification thereof. 500

3372(a)(5) Attempt to commit any act described in 3372(a) paragraphs (1) through (4). 250

50 CFR 16 LACEY ACT

16.3 - 16.33 Violation of injurious wildlife regulations. 500 and 50/specimen

MANDATORY APPEARANCE IS REQUIRED FOR SECOND, SUBSEQUENT OR GROSS VIOLATION(S) AT THE DISCRETION OF THE OFFICER ISSUING THE VIOLATION NOTICE.

WILDLIFE/PROPERTY FORFEITURE ORDER

Unless otherwise specifically ordered by a United States Court of the Southern District of West Virginia, any wildlife or property which has been seized within the jurisdiction of the Southern District of West Virginia under the authority of the Migratory Bird Treaty Act, 16 USC 703 - 711; the National Wildlife Refuge Systems Administration Act, 16 USC 668dd-668ee; the Eagle Protection Act, 16 USC 668-668e; the Endangered Species Act, 16 USC 1531-1542; the Migratory Waterfowl Hunting Stamp Act, 16 USC 718-718i; the Airborne Hunting Act, 16 USC 742j-742j2; the Marine Mammal Protection Act, 16 USC 1361-1407; the Lacey Act, 18 USC 42 or the Lacey Act Amendments of 1981, 16 USC 3371-3378, where final disposition of the case has been made by either payment of a forfeiture of collateral or a judgment by the Court on behalf of the Government and where so authorized by statute, such wildlife or property shall be forfeited to the U.S. Government and disposed of by the U.S. Fish and Wildlife Service.

NATIONAL FOREST SERVICE VIOLATIONS

Title 36, Chapter II, Code of Federal Regulations
[Revised January 14, 1977, Amended June 21, 1984]
Authority: 16 USC, Section 551

SUBPART A - GENERAL PROHIBITIONS

<u>Section Number</u>	<u>Offense or C.F.R. Catchline</u>	<u>Collateral</u>
		(M=mandatory appearance)
<u>36 CFR 261.3</u>	<u>INTERFERING WITH FOREST OFFICER</u>	
261.3 (a)	Threatening, resisting, intimidating, or interfering with any Forest Officer engaged in or on account of the performance of his official duties in the protection, improvement, or administration of the National Forest System	250
261.3(b)	Giving any false, fictitious or fraudulent report or other information to any Forest Officer engaged in or on account of the performance of his official duties knowing that such report or other information contains false, fictitious or fraudulent statement or entry.	100
261.3(c)	Threatening, intimidating, or intentionally interfering with any Forest Officer, volunteer, or human resource program enrollee while engaged in, or on account of, the performance of duties for protection, improvement, or administration of the National Forest System or other duties assigned by the Forest Service.	M (physical) /250
<u>36 CFR 261.4</u>	<u>DISORDERLY CONDUCT</u>	
261.4(a)	Engaging in fighting.	250
261.4(b)	Addressing any offensive, derisive, or annoying communication to any person who is lawfully present when such communication has a direct tendency to cause acts of violence by the person to whom, individually, the remark is addressed.	100
261.4(c)	Make statements or other actions directed toward inciting or producing imminent lawless action and likely to incite or produce such action.	100

261.4(d)	Causing public inconvenience, annoyance, or alarm by making unreasonably loud noise.	100
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<u>36 CFR 261.5</u>	<u>FIRE</u>	
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261.5(a)	Carelessly or negligently throwing or placing any ignited substance or other substance that may cause a fire.	100
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261.5(b)	Firing any tracer bullet or incendiary ammunition.	100
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261.5(c)	Causing timber, trees, slash, brush, or grass, to burn except as authorized by permit.	500
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261.5(d)	Leaving a fire without completely extinguishing it.	150
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261.5(e)	Allowing a fire to escape from control.	150
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261.5(f)	Building, attending, maintaining, or using a campfire without removing all flammable material from around the campfire adequate to prevent its escape.	150
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<u>36 CFR 261.6</u>	<u>TIMBER AND OTHER FOREST PRODUCTS</u>	
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261.6(a)	Cutting or otherwise damaging any timber, tree, or other Forest product, except as authorized by a special use authorization, timber sale contract, or Federal law or regulation.	250
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261.6(b)	Cutting any standing tree, under permit or timber sale contract, before a Forest Officer has marked it or has otherwise designated it for cutting.	250
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261.6(c)	Removing any timber or other forest product cut under permit or timber sale Contract, except to a place designated for scaling, or removing it from that place before it is scaled, measured, counted, or otherwise accounted for by a Forest Officer.	250
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261.6(d)	Stamping, marking with paint, or otherwise identifying any tree or other forest product in a manner similar to that employed by Forest Officers to mark or designate a tree or any other forest product for cutting or removal.	250
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261.6(e)	Loading, removing or hauling timber or other forest product acquired under any permit or timber sale contract unless such product is identified as required in such permit or contract.	250
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261.6(f)	Selling or exchanging any timber or other forest product obtained under free use pursuant to paragraph (e) (f), or (g) of 36 CFR 223.1.	250
261.6(g)	Violating any timber export or substitution restriction in 36 CFR 223.10.	250
261.6(h)	Removing any timber, tree or other forest product, except as authorized by a special—use authorization, timber sale contract, or Federal law or regulation.	250
<u>36 CFR 261.7</u>	<u>LIVESTOCK</u>	
261.7(a)	Placing or allowing unauthorized livestock to enter or be in the National Forest System or other lands under Forest Service control.	100 for one, 25 each add. head
261.7(b)	Not removing unauthorized livestock from National Forest System or other lands under Forest Service control when requested by a Forest Officer.	250
261.7(c)	Failing to reclose any gate or other entry.	50
261.7(d)	Molesting, injuring, removing, or releasing any livestock impounded under 36 CFR 262.10 while in the Custody of the Forest Service or its authorized agents.	250
<u>36 CFR 261.8</u>	<u>FISH AND WILDLIFE</u>	
261.8(a)	Hunting, trapping, fishing, catching, molesting, killing, or having in possession any kind of wild animal, bird, or fish, or taking the eggs of any such bird.	100
261.8(a)	Fishing without valid license. [WV 20-2-27]	100
261.8(a)	Hunting without blaze orange. [WV 20-2-60]	100
261.8(a)	Possession or use of improper fish bait (catch and release trout stream). [WV 20-1-7]	100
261.8(a)	Possession of fish over limit. [WV 20-1-7]	100 (25 each add.)
261.8(b)	Possessing a firearm or other implement designed to discharge a missile capable of destroying animal life.	200

261.8(c)	Possessing equipment which could be used for hunting, fishing, or trapping.	100
	Hunting with weapon.	200
261.8(d)	Possessing a dog not on a leash or otherwise confined.	100
261.8(e)	Curtailing movement of animal or plant life.	200
<u>36 CFR 261.9</u>	<u>PROPERTY</u>	
261.9(a)	Damaging any natural feature or other property of the United States.	250
261.9(b)	Removing any natural feature or other property of the United States.	250
261.9(c)	Damaging any plant that is classified as a threatened, endangered, sensitive, rare, or unique species.	250
261.9(d)	Removing any plant that is classified as a threatened, endangered, sensitive, rare or unique species.	250
261.9(e)	Entering any building, structure, or enclosed area owned or controlled by the United States when such building, structure, or enclosed area is not open to the public.	250
261.9(f)	Using any pesticide except for personal use as an insect repellant or as provided by special-use authorization or other minor uses.	250
261.9(g)	Digging in, excavating, disturbing, injuring, destroying, or in any way damaging any paleontological, prehistoric, historic, or archaeological resource, structure, site, artifact, or property.	250
261.9(h)	Removing any paleontological, prehistoric, historic, or archaeological resource structure, site, artifact, or property.	250
261.9(i)	Excavating, damaging vertebrae fossil or paleontological resource.	250
261.9(j)	Excavating, damaging, removing cave resource.	250

36 CFR 261.10OCCUPANCY AND USE

261.10(a)	Constructing, placing, or maintaining any kind of road, trail, structure, fence, enclosure, communication equipment or other improvement on National Forest System land or facilities without a special-use authorization, contract, or approved operating plan.	250
261.10(b)	Taking possession of, occupying, or otherwise using National Forest System lands for residential purposes without a special-use authorization, or as otherwise authorized by Federal law or regulation.	250
261.10(c)	Selling or offering for sale any merchandise or conducting any kind of work activity or service unless authorized by Federal law, regulation, or special use authorization.	150
261.10(d)	Discharging a firearm or any other implement capable of taking human life, causing injury, or damaging property: in or within 150 yards of a residence, building, campsite, developed recreation site, or occupied areas, or (2) across or on a Forest Development road or a body of water adjacent thereto, or in any manner or place whereby any person or property is exposed to injury or damage as a result of such discharge.	500
261.10(e)	Abandoning any personal property.	100
261.10(f)	Placing a vehicle or other object in such a manner that it is an impediment or hazard to the safety or convenience of any person.	200
261.10(g)	Posting, placing, or erecting any paper, notice, advertising material, sign or similar matter without a special-use authorization.	100
261.10(h)	Operating or using in or near a campsite, developed recreation site, or over an adjacent body of water without a permit, any device which produces noise, such as a radio, television, musical instrument, motor or engine in such a manner and at such a time so as to unreasonably disturb any person.	100
261.10(i)	Operating or using a public address system, whether fixed, portable, or vehicle mounted, in or near a campsite or developed recreation site or over an adjacent body of water without a special-use authorization.	100

261.10(j)	Use or occupancy of National Forest System land or facilities without special-use authorization when such authorization is required.	100
261.10(k)	Violating any terms or conditions of a special-use authorization, contract or approved operating plan.	250
261.10(l)	Failing to stop a vehicle when directed to do so by a Forest Officer.	250
261.10(m)	Failing to pay a special-use fee or other charges as required.	200
261.10(n)	Failing to pay special-use fee.	200
261.10(o)	Discharging or igniting firecrackers or other explosives into or within a cave.	200
<u>36 CFR 261.11</u>	<u>SANITATION</u>	
261.11(a)	Depositing in any toilet, toilet vault, or plumbing fixture any substance which could damage or interfere with the operation or maintenance of the fixture. Possessing or leaving refuse, debris, or litter in an exposed or unsanitary condition.	200
261.11(b)	Possessing or leaving refuse, debris, or litter in an exposed or or unsanitary condition.	200
261.11(c)	Placing in or near a stream, lake or other water any substance which does or may pollute a stream, lake, or other water.	250
261.11(d)	Failing to dispose of all garbage, including any paper, can, bottle, sewage, waste water or material, or rubbish either by removal from the site or area, or by depositing it into receptacles or at places provided for such purposes.	200
261.11(e)	Dumping of any refuse, debris, trash, or litter brought as such from private property or from land occupied under permit, except, where a container, dump or similar facility has been provided and is identified as such, to receive trash generated from private lands or lands occupied under permit.	250
<u>36 CFR 261.12</u>	<u>FOREST DEVELOPMENT ROADS AND TRAILS</u>	
261.12(a)	Violating the load, weight, height, length, or width limitations prescribed by State law except by special-use authorization or written agreement or by order issued under 36 CFR 261.54 of this chapter.	200

261.12(b)	Failing to have a vehicle weighed at a Forest Service weighing station, if required by a sign.	200
261.12(c)	Damaging and leaving in a damaged condition any such road, trail, or segment thereof.	200
261.12(d)	Blocking, restricting, or otherwise interfering with the use of a road, trail or gate.	150
261.12 (e)	Using motorized vehicles in excess of 40 inches in width on a trail.	25
<u>36 CFR 261.13</u>	<u>USE OF VEHICLES OFF ROADS</u>	
261.13 (a)	Operating any vehicle off Forest Development, State or County roads without a valid license as required by State law.	250
261.13(b)	Operating any vehicle off Forest Development, State or County roads without an operable braking system.	150
261.13(c)	Operating any vehicle off Forest Development, State or County roads from one-half hour after sunset to one-half hour before sunrise unless equipped with working head and tail lights.	100
261.13(d)	Operating any vehicle off Forest Development, State or County roads in violation of <i>any</i> applicable noise emission standard established by a Federal or State agency.	100
261.13(e)	Operating any vehicle off Forest Development, State or County roads while under the influence of alcohol or other drugs.	250
261 .13(f)	Operating any vehicle off Forest Development, State or County roads creating excessive or unusual smoke.	100
261.13(g)	Operating any vehicle off Forest Development, State or County roads carelessly, recklessly, or without regard for the safety of any person, or in a manner that endangers, or is likely to endanger, any person or property.	250
261.13(h)	Operating any vehicle off Forest Development, State or County roads in a manner which damages or unreasonably disturbs the land, wildlife, or vegetative resources.	250
261.13(i)	Operating any vehicle off Forest Development, State or County roads in violation of State law established for vehicles used off roads.	250

36 CFR 261.14DEVELOPED RECREATION SITES

261.14(a)	Occupying any portion of the site for other than recreation purposes.	100
261.14(b)	Building, attending, maintaining, or using a fire outside of a fire ring provided by the Forest Service for such purpose or outside of a stove, grill or fireplace.	100
261.14(c)	Cleaning or washing any personal property, fish, animal, or food, or bathing or washing at a hydrant or water faucet not provided for that purpose.	100
261.14(d)	Discharging or igniting a firecracker, rocket or other firework, or explosive.	100
261.14(e)	Occupying between 10 p.m. and 6 a.m. a place designated for day use only.	100
261.14(f)	Failing to remove all camping equipment or personal property when vacating the area or site.	100
261.14(g)	Placing, maintaining, or using camping equipment except in a place specifically designated or provided for such equipment.	100
261.14(h)	Without permission, failing to have at least one person occupy a camping area during the first night after camping equipment has been set up.	100
261.14(i)	Leaving camping equipment unattended for more than 24 hours without permission.	100
261.14(j)	Bringing in or possessing an animal, other than a seeing eye dog, unless it is crated, caged, or upon a leash not longer than six feet, or otherwise under physical restrictive control.	50
261.14(k)	Bringing in or possessing in a swimming area an animal, other than a seeing eye dog.	50
261.14(l)	Bringing in or possessing a saddle, pack, or draft animal except as authorized by posted instructions.	50
261.14(m)	Operating or parking a motor vehicle or trailer except in places developed or designated for this purpose.	100
261.14(n)	Operating a bicycle, motorbike, or motorcycle on a trail unless designated for this use.	50

261.14(o)	Operating a motorbike, motorcycle or other motor vehicle for any purpose than entering or leaving sites.	50
261.14(p)	Depositing body waste except into receptacles provided.	50

**SUBPART B: - PROHIBITIONS IN AREAS DESIGNATED
BY ORDER OF REGIONAL FORESTER OR FOREST SUPERVISOR**

<u>36 CFR 261.52</u>	<u>FIRE</u>	
261. 52 (a)	Building, maintaining, attending or using a fire, campfire, or stove fire.	100
261.52(b)	Using an explosive.	50
261.52(c)	Smoking.	150
261.52(d)	Smoking, except within an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material.	150
261.52(e)	Going into or being upon an area.	100
261.52(f)	Possessing, discharging, or using any kind of firework or other pyrotechnic device.	100
261.52(g)	Entering an area without any fire-fighting tool prescribed by the order.	100
261.52(h)	Operating an internal combustion engine.	100
261.52(i)	Welding, or operating an acetylene or other torch with open flame.	100
261.52(j)	Operating or using any internal or external combustion engine without a spark arresting device properly installed, maintained and in effective working order meeting either: (1) Department of Agriculture, Forest Service Standard 5100-la; or (2) appropriate Society of Automotive Engineers (SAE) recommended practice J335(b) and J350(a).	100
261.52(k)	Violating any state law specified in the order concerning burning, fires, or which is for the purpose of preventing, or restricting the spread of fires.	150

36 CFR 261.53SPECIAL CLOSURES

Going into or being upon any area which is closed for the protection of:

261.53(a)	Threatened, endangered, rare, unique, or vanishing species of plants, animals, birds or fish.	200
261.53(b)	Special biological communities.	200
261.53(c)	Objects or areas of historical, archaeological, geological, or paleontological interest.	200
261.53(d)	Scientific experiments or investigations.	200
261.53(e)	Public health or safety.	200
261 .53(f)	Property.	100

36 CFR 261.54FOREST DEVELOPMENT ROADS

261.54(a)	Using any type of vehicle prohibited by the order.	200
261.54(b)	Use by any type of traffic prohibited by the order.	200
261.54(c)	Using a road for commercial hauling without a permit or written authorization.	200
261.54(d)	Operating a vehicle in violation of the speed, load, weight, height, length, width, or other limitations specified by the order.	200
261.54(e)	Being on the road.	200
261 .54(f)	Operating a vehicle carelessly, recklessly, or without regard for the rights or safety of other persons or in a manner or at a speed that would endanger or be likely to endanger any person or property.	200

36 CFR 261.55FOREST DEVELOPMENT TRAILS

261.55(a)	Being on the trail.	200
261.55(b)	Using a bicycle or motorized vehicle.	200
261.55(c)	Possessing or using a saddle, pack, or draft animal.	200

261.55(d)	Operating a vehicle in violation of the width, weight, height, length or other limitations specified by order.	200
261.55(e)	Shortcutting a switchback.	200
<u>36 CFR 261.56</u>	<u>USE OF VEHICLES OFF FOREST DEVELOPMENT ROADS</u>	
	Possessing or using a vehicle off forest development roads.	200
<u>36 CFR 261.57</u>	<u>NATIONAL FOREST WILDERNESS</u>	
261.57(a)	Entering or being in the area.	200
261.57(b)	Possessing camping or pack-outfitting equipment, as specified in the order.	200
261.57(c)	Possessing a firearm or firework.	200
261.57(d)	Possessing any non-burnable food or beverage containers, including deposit bottles, except for non-burnable containers designed and intended for repeated use.	200
261.57(e)	Grazing.	200
261.57(f)	Storing equipment, personal property, or supplies.	200
261.57(g)	Disposing of debris, garbage, or other waste.	200
261.57(h)	Possessing or using a wagon, cart, or other vehicle.	200
<u>36 CFR 261.58</u>	<u>OCCUPANCY AND USE</u>	
261.58(a)	Camping for a period longer than allowed by the order.	100
261.58(b)	Entering or using a developed recreation site or portion thereof.	100
261.58(c)	Entering or remaining in a campground during night periods prescribed in the order-except for persons who are occupying such campgrounds.	100
261.58(d)	Occupying a developed recreation site with prohibited camping equipment prescribed by the order.	100
261.58(e)	Camping.	100
261.58(f)	Using a campsite or other area designated in the order by more than the number of users allowed by the order.	100

261.58(g)	Parking or leaving a vehicle in violation of posted instructions.	100
261.58(h)	Parking or leaving a vehicle outside a parking space assigned to one's own camp unit.	100
261.58(i)	Possessing, parking, or leaving more than two vehicles, except motorcycles or bicycles per camp unit.	100
261.58(j)	Being publicly nude.	200
261.58(k)	Entering or being in a body of water.	100
261.58(l)	Being in the area after sundown or before sunrise.	100
261.58(m)	Discharging a firearm, air rifle, or gas gun.	300
261.58(n)	Possessing or operating a motorboat.	150
261.58(o)	Water skiing.	50
261.58(p)	Storing or leaving a boat or raft.	100
261.58(q)	Operating any watercraft in excess of a posted speed limit.	100
261.58(r)	Launching a boat except at a designated launching ramp.	100
261.58(s)	Possessing or transporting a bird or animal.	200
261.58(t)	Possessing or transporting any part of a tree or plant.	200
261.58(u)	Being in the area between 10 p.m. and 6 a.m. except a person who is camping or who is visiting a person camping in that area.	100
261.58(v)	Hunting or fishing.	300
261.58(w)	Possessing or transporting motor or mechanical device capable of propelling a watercraft through water by any means.	100
261.58(x)	Using any wheel, roller, or other mechanical device for the overland transportation of any watercraft.	100
261.58(y)	Landing of aircraft, or dropping or picking up any material, supplies, or person by means of an aircraft, including a helicopter.	100
261.58(z)	Entering or being on lands or waters within the boundaries of a component of the National Wild and Scenic Rivers System.	100
261.58(aa)	Riding, hitching, tethering or hobbling a horse or other saddle or pack animal in violation of posted instructions.	100

261.58(bb)	Possessing a beverage which is defined as an alcoholic beverage by State law.	100
261.58(cc)	Possessing or storing food as specified by order.	100
261.58(ee)	Depositing body waste in cave.	150
<u>16 USC 433</u>	<u>AMERICAN ANTIQUITIES</u>	
	Appropriate, excavate, injure or destroy any historic or prehistoric ruin or monument, or any object of antiquity.	500
<u>18 USC 1852</u>	<u>TIMBER REMOVED OR TRANSPORTED</u>	
	Cutting, removing, destroying, transporting timber.	500
	Cutting or wantonly destroying any timber growing on the public lands of the United States; or	
	Removing any timber from said public lands, with intent to export or to dispose of the same; or	
	Being the owner, master, pilot, operator, or consignee of any vessel, motor vehicle, or aircraft or the owner, director, or agent of any railroad, knowingly transporting any timber so cut or removed from said lands, or lumber manufactured therefrom.	
<u>18 USC 1856</u>	<u>FIRES</u>	
	Kindling or causing to be kindled, a fire in or near any forest, timber, or other inflammable material upon any lands owned, controlled or leased by or under the partial, or exclusive jurisdiction of the United States, including lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted, and leaving said fire without totally extinguishing the same, or permitting or suffering said fire to burn or spread beyond control, or leaving of suffering said fire to burn unattended.	250
<u>18 USC 1858</u>	<u>SURVEY MARKS DESTROYED OR REMOVED</u>	
	Willfully destroying, defacing, changing or removing to another place any section corner, quarter-section corner, or meander post, or any government line of survey or willfully cutting down any witness tree blazed to mark the line of Government survey, or	250

willfully defacing, changing, or removing any monument or bench mark of any Government survey.

18 USC 1863

TRESPASS ON NF LANDS CLOSED TO ENTRY

Without lawful authority or permission, going upon any national forest land while it is closed to the public pursuant to lawful regulation of the Secretary of Agriculture. 300

CORPS OF ENGINEERS VIOLATIONS

Title 36, Chapter III, Code of Federal Regulations
Authority: 16 USC, Section 460d

<u>Section Number</u>	<u>Offense or C.F.R. Catchline</u>	<u>Collateral</u>
<u>36 CFR 327.1</u>	<u>POLICY - DISCRIMINATION</u>	
327.1(a)	Violation of Corps policy of providing the public with safe and healthful recreational opportunities while protecting and enhancing the resources.	35
327.1(d)	Discrimination as to sex, race, creed, color, age, nationality or place of origin.	50
<u>36 CFR 327.2</u>	<u>VEHICLES</u>	
327.2(b)	Parking vehicle in violation of posted restrictions or in such a manner as to create a safety hazard to any person, project property or environmental feature or to obstruct or impede the flow of traffic.	35
327.2(c)	Operating a vehicle off roadways or taking a vehicle beyond a restrictive sign, barricade, fence or traffic control barrier except at locations and times designated by the District Commander.	75
327.2(d)	Operating a vehicle in violation of posted regulations.	50
327.2(e)	Operating a vehicle in a careless, negligent or reckless manner so as to endanger any person, project property or environmental feature.	100
327.2(f)	Using a vehicle at developed recreation areas for other than entering or leaving the area or individual sites or facilities.	35

327.2(g)	Operating a motorized vehicle without a proper and effective exhaust muffler.	35
<u>36 CFR 327.3</u>	<u>VESSELS</u>	
327.3(b)	Placing and/or operating a vessel or watercraft on project waters for a fee or profit without authorization.	50
327.3(c)	Operating a vessel or watercraft in prohibited or restricted area or without displaying a proper registration.	50
327.3(d)	Operating a vessel or watercraft in a careless, negligent, or reckless manner so as to endanger any property or person including operator and/or users of vessel.	100
327.3(e)	Using a vessel without having on-board safety equipment in compliance with State and U.S. Coast Guard boating safety requirements.	50
327.3(f)	Using a vessel or watercraft as a place of habitation or residence, or using same while moored in commercial facilities, community or corporate docks, or at any fixed or permanent mooring point for overnight occupancy except when such use is incidental to recreational boating.	50
327.3(g)	Using water skis or similar device in a restricted area or in a careless, negligent, or reckless manner so as to endanger any property or person including the user and/or operator of the towing vessel.	100
327.3(h)	Failure to remove vessel when not in actual use from project lands and waters unless securely moored at approved mooring facilities; or placing of floating or stationary mooring facilities on, adjacent to, or interfering with, a buoy, channel marker, or other navigational aid.	50
327.3(i)	Using at a project a vessel not constructed or maintained in compliance with the standards and requirements established by the Federal Safe Boating Act.	50
327.3(j)	Operating a vessel or watercraft without a proper and effective exhaust muffler.	50
<u>36 CFR 327.4</u>	<u>AIRCRAFT</u>	
327.4(b)	Operating aircraft other than for official business of Federal, State or local governments or law enforcement agencies on	75

	project lands except at landing areas designated by the District Commander.	
327.4(c)	Operating any aircraft while on or above project waters or project lands in a careless, negligent or reckless manner so as to endanger any person or property.	75
327.4(e)	Air delivery of a person, material or equipment by parachute, helicopter, or other means onto project lands or waters without written permission except in extreme emergency involving safety of human life or threat of serious property loss.	75
327.4(f)	(2) Operating seaplane contrary to the prohibitions or restrictions established by the District Commander.	75
	(3) Operating seaplane while upon project waters in violation of marine rules of the road for power boats and vessels.	75
	(4) Having seaplane on project waters or lands in excess of 24 hours without having same securely moored at approved mooring facilities or locations.	50
	(5) Commercial operation of seaplanes from project waters without written approval.	75
	(6) Operating any seaplane at Corps project between sunset and sunrise unless approved by the District Commander.	75
<u>36 CFR 327.5</u>	<u>SWIMMING</u>	
327.5(a)	Swimming, wading, snorkling or scuba diving at a launching site, designated mooring point or in areas where prohibited.	50
327.5(b)	Performing underwater activities without displaying the international diving flag.	50
327.5(c)	Jumping/diving off structures.	100
<u>36 CFR 327.6</u>	<u>PICNICKING</u>	
327.6	Picnicking and other related day-use activities in areas where prohibited by the District Commander.	35
<u>36 CFR 327.7</u>	<u>CAMPING</u>	
327.7(a)	Camping at locations other than designated sites and/or areas.	50
327.7(b)	Camping at any campsite or campground at any one project for a period longer than 14 days in a 30-consecutive-day period.	50

327.7(c)	Placing camping equipment or other items on a campsite or intermittent personal appearance without overnight occupancy at a campsite for the purpose of reserving a designated campsite for future occupancy.	50
327.7(d)	Digging or leveling of any ground or the construction of any structure without written permission of the District Commander.	50
327.7(e)	Camping at reserved campsite.	50
<u>36 CFR 327.8</u>	<u>HUNTING, FISHING AND TRAPPING</u>	
327.8	Hunting, fishing or trapping in restricted areas.	50
<u>36 CFR 327.9</u>	<u>SANITATION</u>	
327.9(a)	Dumping or improper disposal in any manner of garbage, trash, rubbish, litter or any other waste material or waste liquid including human or animal waste generated on the project and incidental to authorized recreation activity except at locations and in receptacles provided for such purpose.	75
327.9(b)	Bringing onto a project any material for the purpose of disposal or dumping without written permission.	100
327.9(c)	Spilling, pumping or discharging contaminants, pollutants, or other wastes on project lands or into project waters.	75
327.9(d)	Failing to keep site free of trash and litter during period of occupancy while using a water resource development project; or failing to remove all personal equipment and clean site upon departure.	50
327.9(e)	Discharging or placing of sewage, galley waste, garbage, refuse, or pollutants into project waters from any vessel or water-craft.	100
<u>36 CFR 327.10</u>	<u>FIRES</u>	
327.10(a)	Carrying onto or storing on a project, gasoline or other fuels without written permission, except that contained in storage tanks of vehicles, vessels, camping equipment, or hand portable containers designed for such purpose.	50
327.10(b)	Failing to confine fires to those areas designated and in fireplaces, grills, or other facilities designed for this purpose; or leaving unattended any fire without completely extinguishing	50

	it prior to departure; or burning materials that produce toxic fumes including, but not limited to, tires, plastic or treated wood.	
327.10(c)	Disposing lighted smoking materials, matches or other burning material improperly.	50
<u>36 CFR 327.11</u>	<u>CONTROL OF ANIMALS</u>	
327.11(a)	Bringing or allowing dogs, cats, or other pets into swimming beach areas or into developed recreation areas unless penned, caged, or on a leash no longer than 6 feet in length or otherwise under physical restraint at all times; or allowing animals to impede or restrict otherwise full and free use of project lands and waters by the public; or bringing or allowing pets or animals, except properly trained animals assisting the handicapped, in sanitary facilities or other areas so designated by the District Commander.	50
327.11(b)	Failing, by those who bring or allow pets in designated public use areas, to properly remove and dispose, in sanitary facilities, of animal waste produced by same pets.	50
327.11(c)	Bringing or allowing horses, cattle or other livestock in camping, picnicking, swimming, or other recreation areas.	50
327.11(d)	Ranging, grazing, watering or allowing livestock on project lands and waters except where authorized.	50
327.11(g)	Animals posing threat to public safety.	75
<u>36 CFR 327.12</u>	<u>RESTRICTIONS</u>	
327.12(a)	Entering or using a project in a manner contrary to posted restrictions.	50
327.12(b)	Failing to maintain quiet between the hours of 10 p.m. and 6 a.m. or those hours designated by the District Commander.	50
327.12(c)	Disrupting, interfering with or impeding the use of the project or impairing the safety of another person; or failure to leave the project when requested for being boisterous, rowdy, disorderly or otherwise disturbing the peace.	100
327.12(d)	Operating or using audio or other noise producing devices including communications equipment, musical instruments, or motorized equipment such as vessels and vehicles, as to unreasonably annoy or endanger persons; or exceeding state or local laws governing noise levels from motorized equipment.	50

327.12(e)	Alcoholic beverages prohibited.	50
327.12(f)	Smoking in prohibited areas.	35
<u>36 CFR 327.13</u>	<u>EXPLOSIVES, FIREARMS, OTHER WEAPONS AND FIREWORKS</u>	
327.13(a)	Possessing loaded firearms, ammunition, loaded projectile firing devices, bows and arrows, cross bows or explosives of any kind including fireworks unless authorized or permitted.	75
327.13(b)	Possessing, transporting explosives.	75
<u>36 CFR 327.14</u>	<u>PUBLIC PROPERTY</u>	
327.14(a)	Destruct, injure, deface, remove or alter public property.	100
327.14(b)	Cutting or gathering of wood without written permission except dead materials on the ground for use in designated recreation areas as firewood.	50
327.14(d)	Use of metal detector.	35
<u>36 CFR 327.15</u>	<u>ABANDONMENT AND IMPOUNDMENT OF PERSONAL PROPERTY</u>	
327.15(a)	Abandoning, storing, or leaving personal property unattended upon project lands and waters; or leaving same after a posted closure hour in a public use area.	50
327.15(b)	Placing personal property on Federal lands or waters adjacent to private residence and/or developments of any private nature for more than 24 hours without written permission.	50
<u>36 CFR 327.16</u>	<u>LOST AND FOUND ARTICLES</u>	
327.16	Not reporting found articles.	50
<u>36 CFR 327.17</u>	<u>ADVERTISEMENT</u>	
327.17	Advertising by use of billboards, signs, markers, audio device, handouts, or other means without permission.	50

<u>36 CFR 327.18</u>	<u>COMMERCIAL ACTIVITIES</u>	
327.18(a)	Engaging in or solicitation of business without the expressed written consent of the District Commander.	50
327.18(b)	Failure to comply with lease conditions.	50
<u>36 CFR 327.19</u>	<u>PERMITS</u>	
327.19(a)	Failing or refusing to comply with the terms and conditions of any permit issued by the District Commander.	50
<u>36 CFR 327.20</u>	<u>UNAUTHORIZED STRUCTURES</u>	
327.20	Constructing, placing or continued existence of any structure of any kind under, upon, in, or over project lands or waters without authorization; or violating any of the terms of same authorization.	100
<u>36 CFR 327.21</u>	<u>SPECIAL EVENTS</u>	
327.21(a)	Conducting any special event including, but not limited to, water carnivals, boat regattas, music festivals, dramatic presentations or other special recreation program without permission.	50
327.21(b)	Charging any fee to the public by the sponsor of any special event without the proposed fee schedule having been approved in writing by the District Commander and properly posted.	50
<u>36 CFR 327.22</u>	<u>UNAUTHORIZED OCCUPATION OF LANDS</u>	
327.22(a)	Occupying any lands, buildings, vessels, or other facilities as full- or part-time residence without written authorization by the District Commander.	50
327.22(b)	Using project lands or waters for agricultural purposes without authorization.	50
<u>36 CFR 327.23</u>	<u>SPECIAL RECREATION USE FEES</u>	
327.23(b)	Failure to pay fee.	50
327.23(c)	Failure to pay day use fee/display permit.	50
327.23(d)	Fraudulent use of Golden Age Pass.	50

327.24(a)	To forcibly assault, resist, oppose, impede, intimidate or interfere with any civilian official or employee of the U.S. Army Corps of Engineers engaged in, or on account of, the performance of his or her official duties while carrying out these regulations.	M
327.24(b)	Failing to comply with a lawful order issued by a federal employee acting pursuant to these regulations in the performance of their official duties; or failing to provide correct name, address or other identification when requested.	100

VETERANS ADMINISTRATION VIOLATIONS

Title 38, Chapter 1, Code of Federal Regulations

[Revised as of July 10, 1985]

Authority: 38 USC, Section 218

<u>Section Number</u>	<u>Offense or C.F.R. Catchline</u>	<u>Collateral</u>
1.213(b)(1)	Improper disposal of rubbish on property.	200
1.213(b)(2)	Spitting on property.	25
1.218(b)(3)	Throwing of articles from a building or the unauthorized climbing upon any part of a building.	50
1.218(b)(4)	Willful destruction, damage, or removal of Government property without authorization.	500
1.218(b)(5)	Defacement, destruction, mutilation or injury to, or removal, or disturbance of grave-marker or headstone.	500
1.218(b)(6)	Failure to comply with signs of a directive and restrictive nature posted for safety purposes. (No smoking within 50 feet.)	50
1.218(b)(7)	Tampering with, removal, marring, or destruction of posted signs.	100
1.218(b)(8)	Entry into areas posted as closed to the public or others (trespass).	50
1.218(b)(9)	Unauthorized demonstration or service in a national cemetery or on other Veterans Administration property.	250

1.213(b)(10)	Creating a disturbance during a burial ceremony.	250
1.21 8(b) (11)	Disorderly conduct which creates loud, boisterous and unusual noise, or which obstructs the normal use of entrances, exits, foyers, offices, corridors, elevators, and stairways, or which tends to impede or prevent the normal operation of a service or operation of the facility.	M
1.218(b)(12)	Failure to depart premises by unauthorized persons.	50
1.218(b)(13)	Unauthorized loitering, sleeping or assembly on property.	50
1.218(b)(14)	Gambling--participating in games of chance for monetary gain or personal property; the operation of gambling devices, a pool or lottery; or the taking or giving of bets.	200
1.218(b)(15)	Operation of a vehicle under the influence of alcoholic beverages or non-prescribed narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines.	M
1.218(b)(16)	Entering premises under the influence of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates or amphetamines.	M
1.218(b)(17)	Unauthorized use on property of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines.	300
1.218(b)(18)	Unauthorized introduction on Veterans Administration controlled property of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines or the unauthorized giving of same to a patient or beneficiary.	M
1.218(b)(19)	Unauthorized solicitation of alms and contributions on premises.	50
1.218(b)(20)	Commercial soliciting or vending, or the collection of private debts on property.	50
1.218(b)(21)	Distribution of pamphlets, handbills, and flyers.	25
1.218(b)(22)	Display of placards or posting of material on property.	25
1.218(b)(23)	Unauthorized photography on premises.	50
1.218(b)(24)	Failure to comply with traffic directions of hospital police.	25
1.218(b)(25)	Parking in spaces posted as reserved for physically disabled persons.	25

1.218(b)(26)	Parking in no-parking areas, lanes, or crosswalks so posted or marked by yellow borders or yellow stripes.	25
1.218(b)(27)	Parking in emergency vehicle spaces, areas and lanes bordered in red or posted as EMERGENCY VEHICLES ONLY or FIRE LANE, or parking within 15 feet of a fire hydrant.	50
1.218(b)(28)	Parking within an intersection or blocking a posted vehicle entrance or posted exit lane.	25
1.218(b)(29)	Parking in spaces posted as reserved or in excess of a posted time limit.	15
1.218(b)(30)	Failing to come to a complete stop at a STOP sign.	25
1.218(b)(31)	Failing to yield to a pedestrian in a marked and posted crosswalk.	25
1.218(b)(32)	Driving in the wrong direction on a posted one-way street.	25
1.218(b)(33)	Operation of a vehicle in a reckless or unsafe manner, too fast for conditions, drag racing, overriding curbs, or leaving the roadway.	M
1.218(b)(34)	Exceeding posted speed limits:	
	By up to 10 m.p.h.	25
	By up to 20 m.p.h.	50
	By over 20 m.p.h.	100
1.218(b)(35)	Creating excessive noise in a hospital or cemetery zone by muffler cut out, excessive use of a horn or other means.	50
1.218(b)(36)	Failure to yield right of way to other vehicles.	50
1.218(b)(37)	Possession of firearms, carried either openly or concealed, whether loaded or unloaded (except by Federal or State law enforcement officers on official business).	M
1.218(b)(38)	Introduction or possession of explosives, or explosive devices which fire a projectile, ammunition, or combustibles.	M
1.218(b)(39)	Possession of knives which exceed a blade length of 3 inches; switchblade knives; any of the variety of hatchets, clubs and hand-held weapons; or brass knuckles.	300
1.218(b)(40)	The unauthorized possession of any of the variety of incapacitating liquid or gas-emitting weapons.	200

1.218(b)(41)	Unauthorized possession, manufacture, or use of keys or barrier card-type keys to rooms or areas on the property.	200
1.218(b)(42)	The surreptitious opening, or attempted opening, of locks or card-operated barrier mechanisms on property.	M
1.218(b)(43)	Soliciting for, or the act of, prostitution.	M
1.218(b)(44)	Any unlawful sexual activity.	M
1.218(b)(45)	Jogging, bicycling, sledding or any recreational physical activity conducted on cemetery grounds.	50

NEW RIVER GORGE NATIONAL RIVER
SCHEDULE A — NATIONAL PARK SERVICE

Title 36. Chapter I, Code of Federal Regulations

<u>Section Number</u>	<u>Offense or C.F.R. Catchline</u>	<u>Collateral</u>
		(M=mandatory appearance)
<u>36 CFR 1.5</u>	<u>CLOSURES AND PUBLIC USE LIMITS</u> (refer to supt's compendium of regulations)	
1.5(3)(f)	Violating closures or public use limits.	50
1.5(h)	Violating term/conditions of a permit.	100
<u>36 CFR 2.1</u>	<u>PRESERVATION OF NATURAL/CULTURAL/</u> <u>ARCHEOLOGICAL RESOURCE</u>	
2.1(a)(1)	Possess, destroy, remove, destroy or disturb: (i) living or dead wildlife, parts or products (ii) plants, parts or products thereof (iii) cultural or archeological resources (iv) mineral resource or cave formation	100
2.1(a)(2)	Introduce wildlife, fish or plants in ecosystem.	100
2.1(a)(3)	Toss/roll rocks down hillside/mountainside.	50
2.1(a)(4)	Possess wood for unauthorized use.	50

2.1(a)(5)	Walk/climb/enter archeological resource.	50
2.1(a)(6)	Possess/destroy/deface archeological resource.	M
2.1(a)(7)	Possess or use a metal detector.	M
2.1(b)	Short cutting trails.	25
2.1(c)(3)	Violate restrictions - gathering natural products.	50
<u>36 CFR 2.2</u>	<u>WILDLIFE PROTECTION</u>	
2.2(a)(2)	Feed/touch/intentionally disturb wildlife.	50
2.2(a)(3)	Possess unlawfully taken wildlife.	M
2.2(b)(3)	Trapping.	50
2.2(b)(4)	Hunting, violation of State or Federal Law.	100
	Hunting under the influence. [WV20-2-5(12)]	250
	Hunting on Sundays. [WV 20-2-5(11)]	250
	Hunting from a motor vehicle. [WV 20-2-5(4)]	250
	Hunting/taking wildlife in closed season. [WV 20-2-5(28)]	250
	Spotlighting. [WV 20-2-5(3)]	250
<u>36 CFR 2.3</u>	<u>FISHING</u>	
2.3(a)	Fishing, violation of state law.	75
<u>36 CFR 2.4</u>	<u>WEAPONS, TRAPS AND NETS</u>	
2.4(a)(1)(i)	Possess a trap or net.	50
2.4(a)(1)(i)	Possession of a weapon.	50
2.4(a)(iii)	Using a weapon.	75
2.4(b)	Possess loaded weapon in a motor vehicle.	75
2.4(c)	Endangering persons with use of weapon.	100

<u>36 CFR 2.10</u>	<u>CAMPING</u>	
2.10(a)(1)	Digging or leveling ground.	50
2.10(b)(1-10)	Illegal camping.	50
2.10(d)	Food storage.	50
<u>36 CFR 2.12</u>	<u>AUDIO DISTURBANCES</u>	
2.12(a)(1)(ii)	Excessive noise – audio device.	50
<u>36 CFR 2.13</u>	<u>FIRES</u>	
2.13(a)(1)	Fires outside areas.	50
2.13(a)(2)	Using stoves/lanterns illegally.	50
2.13(a)(3)	Fire hazard to persons/resources/property.	50
2.13(a)(4)	Unattended fire.	50
2.13(a)(5)	Discarding burning/smoldering material.	50
2.13(b)	Failure to extinguish.	50
2.13(c)	Maintaining fire during period of high fire danger.	50
<u>36 CFR 2.14</u>	<u>SANITATION AND REFUSE</u>	
2.14(a)(1)	Littering.	75 - minor 200 - major
2.14(a)(2)	Private refuse in government receptacles.	100
2.14(a)(3)	Depositing refuse in plumbing or toilet.	75
2.14(a)(4)	Draining refuse from trailer.	100
2.14(a)(6)	Polluting water or water resources.	100
2.14(a)(8-9)	Depositing body waste except into provided receptacles.	75

<u>36 CFR 2.15</u>	<u>PETS</u>	
2.15(a)(1)	Pets in swimming areas.	35
2.15(a)(2)	Pet in public building area or area closed to pets.	25
2.15(a)(3)	Leaving pet unattended.	50
2.15(a)(5)	Excrement disposal conditions.	25
2.16(b)	Unauthorized horses or pack animals.	35
<u>36 CFR 2.16</u>	<u>AIRCRAFT</u>	
2.17(a)(1)	Improper use of aircraft.	M
2.17(a)(3)	Delivery of persons by parachute/helicopter/other.	M
2.17(e)	Use of hovercraft.	50
<u>36 CFR 2.18</u>	<u>SNOWMOBILES</u>	
2.18(a-c)	Use of snowmobile.	50
<u>36 CFR 2.20</u>	<u>SKATING/SKATEBOARDS</u>	
2.20	Use outside designated areas.	35
<u>36 CFR 2.21</u>	<u>SMOKING</u>	
2.21	Smoking in prohibited areas.	35
<u>36 CFR 2.22</u>	<u>ABANDONED/LOST PROPERTY</u>	
2.22(a)(1)	Abandoning property.	100
2.22(a)(2)	Abandoned property over 24 hours.	50
2.22(a)(3)	Failing to turn in found property.	50
<u>36 CFR 2.30</u>	<u>THEFT OF PROPERTY OR SERVICES/MISAPPROPRIATION</u>	
2.30(a)(1)	Theft of property.	M

2.30(a)(2)	Theft of services.	M
2.30(a)(3)	Fraud - insufficient funds check or credit card.	M
2.30(a)(4)	Shoplifting.	M
2.30(a)(5)	Possess stolen property.	M
<u>36 CFR 2.31</u>	<u>TRESPASSING, TAMPERING AND VANDALISM</u>	
2.31(a)(1)	Trespassing - entering closed area.	100
2.31(a)(2)	Tampering with the property of another.	100
2.31(a)(3)	Vandalism.	100
<u>36 CFR 2.32</u>	<u>INTERFERING WITH AGENCY OPERATIONS</u>	
2.32(a)(1)	Threaten/Resist/Intimidate government employee.	100
2.32(a)(2)	Violating a lawful order.	100
2.32(a)(3)	Providing false information to an officer.	100
2.32(a)(4)	Making a false report (causes response by NPS).	100/M
<u>36 CFR 2.33</u>	<u>REPORT OF INJURY OR DAMAGE</u>	
2.33(b)	Failure to report injury or damage in excess of \$300.	100
<u>36 CFR 2.34</u>	<u>DISORDERLY CONDUCT</u>	
2.34(a)(1)	Disorderly conduct - fighting/violent behavior.	100
2.34(a)(2)	Disorderly conduct - obscene behavior/language.	100
2.34(a)(3)	Disorderly conduct - unreasonable noise.	50
2.34(a)(4)	Disorderly conduct - indecent exposure.	100
<u>36 CFR 2.35</u>	<u>ALCOHOL AND DRUG VIOLATIONS</u>	
2.35(a)(2)(i)	Sale or gift of alcohol to a person over 21.	100

2.35(a)(2)(ii)	Possession of alcohol by person under 21.	50
2.35(a)(3)(iii)	Possession of open container of alcohol in a prohibited area.	50
2.35(b)(1)	Sale of a controlled substance.	M
2.35(b)(2)	Possession of a controlled substance:	
	under two (2) ounces of marijuana	150
	over 2 ounces of marijuana/possess any other drug	M
2.35(c)	Public Intoxication.	50

36 CFR 2.36 GAMBLING

2.36(a)	Gambling.	50
2.37	Non - Commercial Soliciting.	50

36 CFR 2.38 FIREWORKS AND EXPLOSIVES

2.38(a)	Use, possess or transport explosives w/o permit.	M
2.38(b)	Use or possession of fireworks.	50

SPECIAL EVENTS 36 CFR 2.50*

PUBLIC ASSEMBLIES 36 CFR 2.51*

SALE OR DISTRIBUTION OF PRINTED MATTER 25 CFR 2.52*

Violation notices for violation of the terms of a permit would be written under the appropriate section above, with a fine of \$100. Failure to have a permit, or continuing an activity after a permit is revoked would be written under 26 CFR 1.5. Refer to the appropriate sections of CFR, the Compendium, and permits.

36 CFR 2.51 PUBLIC ASSEMBLIES

2.51(h)	Impeding traffic, harassing visitors.	100
2.52(h)	Impede traffic – commercial distribution of printed material.	100

36 CFR 2.60 LIVESTOCK AND AGRICULTURE

2.60(a)	Permitting livestock to run at large.	50
2.60(b)	Violate term and conditions of lease.	50

<u>35 CFR 2.61</u>	<u>RESIDING ON PARK LANDS</u>	
2.61	Residing on park land without a permit.	M
<u>36 CFR 2.62</u>	<u>MEMORIALIZATION</u>	
2.62(a)	Installing memorial without authorization.	50
2.62(b)	Scattering human ashes without permit.	25
<u>36 CFR 3.4</u>	<u>ACCIDENTS</u>	
3.4(b)	Failure to report.	100
<u>36 CFR 3.5</u>	<u>INSPECTION</u>	
3.5(c)	Failure to meet safety standards.	50
<u>36 CFR 3.6</u>	<u>PROHIBITED OPERATIONS</u>	
3.6(a)	Operating vessel in reckless manner.	100
3.6(b)	Operating vessel under influence of alcohol.	M
3.6(c)	Failure to conserve regulatory marker.	35
<u>36 CFR 3.7</u>	<u>NOISE ABATEMENT</u>	
3.7	Exceeding noise levels.	35
<u>36 CFR 3.20</u>	<u>WATER SKIING</u>	
3.20(a)	Towing persons by vessel.	35
<u>36 CFR 3.21</u>	<u>SWIMMING AND BATHING</u>	
3.21(a)(1-3)	Swimming, when and where.	50
	<u>MOTOR VEHICLE OFFENSES</u>	
4.2	All State traffic offenses not covered below have a \$50.00 collateral.	75

4.2	Driving on revoked/suspended license. [WV 17 B-4-3]	M
4.4(a)	Failure to report motor vehicle accident (24 hours).	50
4.4(b)	Commercial towing - fail to notify before towing.	100
4.10(a)	Travel off roadway/parking area.	75
4.10(c)	Operate MV in manner that causes unreasonable damage.	100
4.11	Load/weight/size limits.	25
4.12	Contrary to posted signs – Parking.	35
	Contrary to posted signs – Moving.	35
4.13	Obstructing traffic by parking/stopping.	35
	Obstructing traffic by driving.	25
4.14	Open alcohol within motor vehicle.	50
4.15	Seat belt required.	25
4.20	Failure to yield R.O.W. to pedestrian.	25
4.21	Speed Limits - each mile per hour over speed limit.	
	1-10 mph over/	25
	11-15 mph over/	50
	16-20 mph over/	100
	21-29 mph over/	125
	30+ mph over/	M
4.22(1)	Speed too great for conditions.	50
4.22(2)	Squealing/skidding tires.	75
4.22(3)	Failure to maintain proper control.	50
4.22(4)	Permitting/occupying towed vehicle.	35
4.22(4)	Permitting/riding on exterior vehicle.	35
4.23(a1)	D.U.I. (driving impaired).	M
4.23(a2)	D.U.I. (+.10 breath test).	M
4.30(a)	Bicycles - riding on sidewalk/trails.	35

4.30(c)	Bicycles - subject to motor vehicle laws.	25
4.30(d)(1-4)	Prohibited acts.	35
4.31	Hitchhiking prohibited.	25

COMMERCIAL/PRIVATE OPERATIONS

5.1	Display/post, advertisements without permit.	75
5.3	Engage in business without permit.	50
5.5	Commercial filming without permit.	100
5.6(b)	Use of park roadways by commercial vehicles.	25
5.7	Unauthorized construction of road/utilities/structures without a permit.	100